

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JERRY W. CARROLL,)	
)	
Plaintiff)	
)	No. 3:13-0152
v.)	Judge Sharp/Brown
)	Jury Demand
DR. PELMORE; TONYA TAYLOR;)	
CONNIE BLANTON; DR. CHERRY;)	
and CCA, INC.,)	
)	
Defendants)	

O R D E R

The Plaintiff has filed a motion objecting to the Magistrate Judge granting Dr. Pelmore additional time to respond to the complaint in this matter (Docket Entry 96).

The Magistrate Judge, in Docket Entry 92, granted counsel who may be representing Dr. Pelmore until July 15, 2013, to advise the Court whether he was properly served or not. If Dr. Pelmore was properly served a response will be due by that date.

The Plaintiff's objection to the enlargement of time is **DENIED**. Cases are generally to be decided on the merits, and in this situation, despite the United States Marshals' return, the certified mail receipt does not show that it was actually signed by Dr. Pelmore, and unless the person signing the receipt for the service of process was authorized to do so, service of process will not have been actually completed despite the United States Marshals' return. If it appears that service of process by mail was not proper, the Magistrate Judge will direct the United States Marshals to serve Dr. Pelmore personally.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge